

Form PTO-1390.  
P21954.P05U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

P21954

#5

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (If known, see 37 CFR 1.5)  
10/031,932

INTERNATIONAL APPLICATION NO.

PCT/EP00/06768

INTERNATIONAL FILING DATE

15 July 2000

PRIORITY DATE CLAIMED

27 July 1999

TITLE OF INVENTION

LITHIUM OXIDE-CONTAINING LITHIUM INTERCALATION COMPOUNDS

APPLICANT(S) FOR DO/EO/US

Günter HEIL, Claudius KORMANN, and Jörg ADEL

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).  
"Executed"
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (U.S.C. 371(c)(5)).

Items 11 to 16 below concern other document(s) or information included:

11. Assignee: EMTEC MAGNETICS GMBH of Ludwigshafen, GERMANY
12. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
13. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ Figure of Drawing to be published 1
18. ☒ Other items or information:  
Cover Letter.  
Copy of form PCT/DO/EO/905 (notification of Missing Requirements).

U.S. APPLICATION NO. (If known, see 37 CFR 1.492(a)(1)-(5)): 10/031,932		INTERNATIONAL APPLICATION NO. PCT/EP00/06768		ATTORNEY'S DOCKET NUMBER P21954	
--	--	---	--	------------------------------------	--

19. <u>X</u> The following fees are submitted:  Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search report has been prepared by the EPO or JPO. . . . . \$ 890.00 International preliminary examination fee paid to USPTO (37 CFR 1.482). . . . . \$ 710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO(37 CFR 1.445(a)(2)). . . . . \$ 740.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO. . . . . \$1,040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4). . . . . \$ 100.00  <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				CALCULATIONS		PTO USE ONLY	

Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>X</u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 0.00			
---	--	--	--	---------	--	--	--

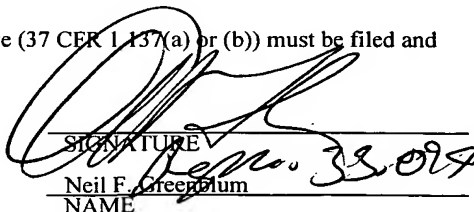
  

Claims	Number Filed	Number Extra	RATE			
Total Claims	26 - 26 =	0	X \$18.00	\$ 0.00		
Independent Claims	1 - 3 =	0	X \$84.00	\$ 0.00		
Multiple dependent claim(s) (if applicable)			+ \$280.00	\$ 0.00		
TOTAL OF ABOVE CALCULATIONS =				\$130.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00		
SUBTOTAL =				\$130.00		
Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$ 0.00	
Extension of Time fee in the amount of \$					\$ 0.00	
TOTAL NATIONAL FEE =				\$130.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 0.00	
TOTAL FEES ENCLOSED =				\$130.00		

06/04/2002 HKAYPAH 00000078 10031932					
01 FC:154		130.00 OP		Amount to be refunded	\$
				Charged	\$

a. <u>X</u> A check in the amount of \$130.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. c. <u>X</u> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0089</u> .  NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.437(a) or (b)) must be filed and granted to restore the application to pending status.  SEND ALL CORRESPONDENCE TO CUSTOMER NO. 7055 AT THE PRESENT ADDRESS OF:  Neil F. Greenblum GREENBLUM & BERNSTEIN, P.L.C. 1941 Roland Clarke Place Reston, VA 20191 (703) 716-1191		 SIGNATURE Neil F. Greenblum NAME  28,394 REGISTRATION NUMBER	
---	--	--	--

P21954.P06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Herr Günter HEIL et al.

Serial No : 10/031,932  
(National Stage of PCT/EP00/06768)

I.A. Filed : July 15, 2000

For : LITHIUM OXIDE CONTAINING LITHIUM INTERCALATION COMPOUNDS

**COVER LETTER**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

In order to comply with the requirements (copy enclosed) for the submission of an executed declaration of the International Application set forth in the Notification mailed April 3, 2002 which sets a two month period of response until June 3, 2002, Applicants hereby submit:

- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing

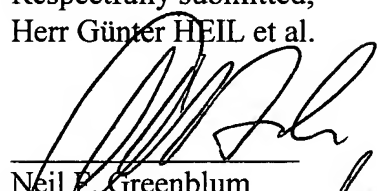
Under 35 U.S.C. 371;

- an executed Declaration and Power of Attorney;
- a check in the amount of \$130.00 to cover the surcharge for late filing of the Declaration.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0089.

Should the Examiner have any questions, he is invited to contact the undersigned at the below listed number.

Respectfully submitted,  
Herr Günter HEIL et al.

  
\_\_\_\_\_  
Neil F. Greenblum  
Reg. No. 28,394

*Reg. No. 33,094*

May 31, 2002  
GREENBLUM & BERNSTEIN, P.L.C.  
1941 Roland Clarke  
Reston, VA 20191  
(703) 716-1191



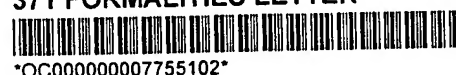
UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,932	Gunter Heil	P21954

INTERNATIONAL APPLICATION NO.	
PCT/EP00/06768	
I.A. FILING DATE	PRIORITY DATE
07/15/2000	07/27/1999

 07055  
 GREENBLUM & BERNSTEIN, P.L.C.  
 1941 ROLAND CLARKE PLACE  
 RESTON, VA 20191

 CONFIRMATION NO. 8125  
 371 FORMALITIES LETTER


\*OC000000007755102\*

Date Mailed: 04/03/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

**RECEIVED**

APR 09 2002

GREENBLUM &amp; BERNSTEIN P.L.C.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- o **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,932	PCT/EP00/06768	P21954